

## **Proposed sale of former Peary High School spurs broader Montgomery council measure**

Andrews bill would block lame-duck councils from approving property deals

by Margie Hyslop | Staff writer

Montgomery County Councilman Philip M. Andrews said Monday that he will introduce a measure to stop lame-duck councils from approving major property deals like the proposed sale of the former Robert E. Peary High School.

Andrews also sharply criticized County Executive Isiah Leggett (D) for pushing a proposal to sell the school and its 19.5-acre Aspen Hill campus for \$1.9 million to Melvin J. Berman Hebrew Academy.

"I think the deal stinks; it's very bad for taxpayers," said Andrews (D-Dist. 3) of Gaithersburg.

Andrews said there seems to be little difference between the deal that Leggett is proposing and one that former county executive Douglas M. Duncan called for in 2005.

A roughly \$400,000 higher sale price "seems to be the primary difference, and that's not much of a difference," Andrews said.

Andrews said a ban on letting council members who are or may be leaving office approve land deals in the month before the election makes as much sense as current bans on the council making zoning or certain water and sewer service changes during that period.

Andrews also did not back off remarks, attributed to him by The Washington Post, speculating that there might be a connection between Leggett's pushing for the school sale and campaign work by a former Duncan aide to win support for charging fees for ambulance rides, which Leggett has doggedly pursued.

"I wish I could say I don't think he'd resort to things that are inappropriate, but I don't think I can say that anymore," Andrews said.

Former Duncan aide Jerry Pasternak said he is working on the campaign to approve the ambulance fee, but that he has had no conversations with Leggett, council members or executive or council staff about the school.

"There's absolutely no connection, no truth, he has not a shred of evidence," Pasternak said.

"It doesn't even make sense to say there's a connection [to] work on the ambulance fee," said Harvey Reiter, president of the Jewish Community Relations Council, which Friday called on Andrews to disavow such remarks or apologize to Leggett and Pasternak.

Pasternak said he recused himself even from discussions of work on the lease that the academy signed with the county in 1996, which gives the school the right to buy the property if the county approves. He said he worked on Duncan's 2005 proposal to sell the property to the academy, which was made after his children no longer were students there.

An analysis of the 2005 sale proposal, which led the council to reject that plan, said the price was "well below" what it would cost to buy a school site if the county needed one.

Critics say the new proposal undervalues the property and does not serve the county's interest by retaining the right to reclaim the property from the academy, which has invested more than \$8 million in improvements since it leased the abandoned school from the county in 1996.

After the new sale proposal was added late to the council's agenda last week, the Board of Education sent the council a letter opposing the sale. The letter cited, as it did in 2005, a need to keep school sites available to the public school system in case another school is needed to accommodate enrollment. The system is growing again, including in the vicinity of the former Peary school site, according to the board.

County Council members Marc Elrich (D-At large) of Takoma Park and Valerie Ervin (D-Dist. 5) of Silver Spring have said the proposed \$1.9 million price seems too low.

Ervin, chairwoman of the Education Committee, said the action seems rushed and called for a public hearing, which will be held at 7:30 p.m. Nov. 23 in the council's third-floor hearing room, an aide to the councilwoman said.